

**SEPTEMBER 17, 2012
REGULAR COUNCIL MEETING
PARMA CITY COUNCIL CHAMBERS
7:05 P.M.**

The Regular Council Meeting was called to order by President of Council Sean P. Brennan presiding:

COUNCIL MEMBERS PRESENT:

SCOTT M. TUMA
BRIAN BROCHETTI
MARK CASSELBERRY
BRIAN DAY
ALLAN DIVIS
MARY GALINAS
DEBORAH LIME
LARRY NAPOLI

COUNCIL MEMBERS EXCUSED:

ROY J. JECH

Mr. Ramser – Mr. President, the Roll of Council has been called and I find a quorum of Council members present. The following officials and department heads were also present: Mayor Timothy DeGeeter, Asst. Law Director Tim Miller, Auditor Dennis M. Kish, Treasurer Thomas Mastroianni, Safety Director Gregory Baeppler, Building Commissioner/City Engineer Paul Deichmann, Director of Human Resources Thomas Weinreich, Senior Citizen Director Jo Ann Mason, Community Development Director Erik Tollerup, Chief of Staff Michael Culp, Economic Development Officer/Grant Writer Shelley Cullins, Director of Public Housing Lev Kulchytsky, and Clerk of Council Kenneth A. Ramser.

INVOCATION

The Invocation was given this evening by Clerk of Council Kenneth A. Ramser followed for a moment of silence for the service worker who passed today, Ted Benze.

PLEDGE OF ALLEGIANCE

LEGISLATIVE COMMENT

Mr. Brennan – Asked if anyone from the public would like to comment on any issue that Council will be taking final action on tonight. No one wished to comment.

DISPOSAL OF THE JOURNAL

Mr. Brennan – Stated, we have the Minutes from the Regular Council Meeting of June 4, 2012, and the Special Council Meeting of June 11, 2012. He asked if there were any additions or corrections to these Minutes. Stated, hearing none, the Minutes will stand approved as printed.

COMMUNICATIONS, PETITIONS, AND CLAIMS

Councilman Brochetti: The Parma City Council met on Monday, September 10, 2012 to discuss the variance for the applicant Philip Londrico, The Majestic Group for the property located at 1339 Rockside Rd. Suite B. The PPN is 445-17-306.

This is a Use variance of Section 1177.03 – Planning and Zoning Code – Schedule of Permitted Buildings and Uses. The proposal is to have the tenant

open beauty salon in an Office Building District, which prohibits use for other than retail business, shopping center or commercial manufacturing.

The Parma Board of Zoning Appeals voted to GRANT this variance. The Planning Committee of Council, after discussion, recommended that this use variance be GRANTED. Motion made by Councilman Brochetti, seconded by Councilman Day to approve the use variance on September 17, 2012. Motion carried.

Councilman Brochetti - The Parma City Council met on Monday, September 10, 2012 to discuss the variances for the applicant Kevin Morand, Morand Architects, Inc., for property at 1611 Brookpark Rd. The PPN No. is 445-05-006, -007 & -008.

There are four variances requested to build an addition to an existing commercial building.

1. This is an Area variance of Section 1199.06(a)(b)(c) – Screening and Buffering – Landscaped Buffer Areas for rear and side yards. They are requesting a 0-3 foot landscape buffer for side and rear setbacks abutting residential districts. A 12 foot landscaped buffer is required.
2. This is an Area variance of Section 1170.06 – Commercial Office Districts – Lot Area, Width and Coverage Regulations. They are requesting lot coverage of 44%. 30% maximum lot coverage is required. STIPULATION: THERE MUST BE A 2 FOOT SETBACK WITH A FENCE AND THE APPLICANT AGREED TO THIS CONDITION.
3. This is an Area variance of Section 1170.08 – Commercial Office Districts – Schedule of Yard and Height Regulations. A 12 foot side and rear building setback s required from adjacent residential property and the request is for a 8 foot setback for side and rear setback from abutting adjacent residential district.
4. This is an Area variance of Section 1197.05(33) – Off Street Parking and Loading Facilities – Schedule of Required Parking – Auto Business – Sales and Service. Code requires 4 spaces per bay plus 1 space per employee for a total of 35 spaces. The request is for a total of 23 spaces.

The Parma Board of Zoning Appeals voted to GRANT these variances. The Planning Committee of Council, after discussion, recommended that these area variances be GRANTED and on September 17, 2012, Parma City Council voted to grant the four variances with the above stipulation with a motion made by Councilman Brochetti, seconded by Councilwoman Galinas. The motion was carried.

Communication was received from Supreme Master Ching Hai from the Supreme Master Ching Hai International Association.

First Reading

Ordinance No. 180-12

9/17/12

L-180-12

By: B. Day
(By Request – Safety Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR PUBLIC SAFETY TO ENTER INTO A CONTRACT UNDER THE STATE OF OHIO COOPERATIVE PURCHASE PROGRAM FOR THE LEASE/PURCHASE OF ONE (1) PIERCE CUSTOM ARROW XT 1500 GPM PUMPER AND ONE (1) PIERCE 100' AERIAL PLATFORM VEHICLE FOR THE PARMA FIRE

DEPARTMENT AND DECLARING AN EMERGENCY

Mr. Brennan – Said Ordinance shall be referred to the Finance Committee.

Second Reading

Ordinance No. 161-12 9/4/12 L-161-12

By: M. Casselberry
(By Request – Community Services & Economic Development Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE PROVISION OF TELEPHONE BASED MEDICAL ALERT MONITORING OF SENIOR CITIZENS UNDER THE 2012-2013 "SENIOR SAFE AT HOME" PROGRAM AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to refer Ordinance 161-12 back to the Finance Committee. Motion carried.

Ordinance No. 162-12 9/4/12 L-162-12

By: B. Day
(By Request – Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE PURCHASE OF POWER COTS FOR THE FIRE DEPARTMENT AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to refer Ordinance No. 162-12 back to the Finance Committee. Motion carried.

Ordinance No. 167-12 9/4/12 L-167-12

By: M. Galinas
(By Request – Community Services & Economic Development Director)

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A DEVELOPMENT AGREEMENT WITH OSG STERLING DIE, INC., LOCATED AT 12502 PLAZA DRIVE IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to refer Ordinance No. 162-12 back to the Finance Committee. Motion carried.

Ordinance No. 168-12 9/4/12 L-168-12

By: B. Day
(By Request – Mayor)

AN ORDINANCE TO EXTEND THE MORATORIUM FOR AN ADDITIONAL ONE HUNDRED EIGHTY (180) DAYS ON THE GRANTING OF ANY PERMITS ALLOWING THE OPERATION OF INTERNET CAFES OR OF BUSINESSES DEVOTING FLOOR SPACE TO INTERNET-BASED SWEEPSTAKES GAMES WITHIN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Day, seconded by Councilwoman Galinas to hold Ordinance No. 168-12. Motion carried.

Ordinance No. 172-12 9/4/12 L-172-12

By: B. Day
(By Request – Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE PURCHASE OF WEAPONS FOR THE POLICE DEPARTMENT AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to refer Ordinance No. 172-12 back to the Finance Committee. Motion carried.

Ordinance No. 173-12 9/4/12 L-173-12

By: R.J. Jech
(By Request – Building Commissioner)

AN ORDINANCE TO AUTHORIZE THE CITY BUILDING COMMISSIONER TO SPONSOR A TRAINEE PROGRAM FOR BUILDING DEPARTMENT PERSONNEL WHO WANT TO OBTAIN AN ADDITIONAL CERTIFICATION FROM THE OHIO BOARD OF BUILDING STANDARDS AND DECLARING AN EMERGENCY

Motion made by Councilman Day, seconded by Councilwoman Galinas to refer Ordinance No. 173-12 back to the Public Safety Committee. Motion carried.

Second Reading Suspension of the Rules

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Resolution No. 146-12 and Resolution No. 165-12 on three different days be dispensed with?

Yes: Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime, Napoli.

No: None; motion carried.

Resolution No. 146-12 8/6/12 L-146-12

By: S. Tuma
(By Request – Building Commissioner)

A RESOLUTION REQUESTING THE BUILDING COMMISSIONER TO INSTITUTE SUMMARY NUISANCE ABATEMENT OF PERMANENT PARCEL NUMBER 449-13-078, 7611 WAINSTEAD DRIVE, PARMA, OHIO, AND DECLARING AN EMERGENCY

Motion made by Councilman Day, seconded by Councilwoman Galinas to refer Resolution No. 146-12 back to the Public Safety Committee. Motion carried.

Resolution No. 165-12 9/4/12 L-165-12

By: S.M. Tuma
(By Request – Auditor)

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR AND DECLARING AN EMERGENCY

Motion made by Councilman Day, seconded by Councilwoman Galinas to adopt Resolution No. 165-12.

Yes: Tuma, Brochetti, Casselberry, Day, Galinas, Divis, Lime, Napoli.

No: None; Resolution No 165-12 is adopted.

Third Reading:

Ordinance No. 103-12

8/6/12

L-103-12

By: S.M. Tuma, M. Galinas, D. Lime, B. Day, M. Casselberry, B. Brochetti, L. Napoli, A. Divis

AN ORDINANCE TO CONVEY PERMANENT PARCEL NOS. 450-02-005 AND 450-02-006, LOCATED ON WEST RIDGEWOOD DRIVE, WITH DEED RESTRICTIONS, TO THE CITY OF PARMA AND DECLARING EN EMERGENCY

Motion made by Councilman Day, seconded by Councilwoman Galinas to adopt Ordinance No. 103-12.

Yes: Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime, Napoli.

No: None; Ordinance No. 103-12 is adopted.

Ordinance No. 147-12

8/6/12

L-147-12

By: B. Day

(By Request – Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT FOR THE PURCHASE OF SAFETY JACKETS FOR THE CITY OF PARMA FIREFIGHTERS, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to hold Ordinance No. 147-12 on Third Reading. Motion carried.

Suspension of the Rules:

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Ordinance No. 176-12, Resolution No. 177-12, Ordinance No. 178-12, Ordinance No. 179-12 and Ordinance No. 181-12 on three different days be dispensed with?

Yes: Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime, Napoli.

No: None; motion carried.

Mr. Brennan – Shall Rule 45 requiring reference to Committee be dispensed with and Ordinance No. 176-12, Resolution No. 177-12, Ordinance No. 178-12, Ordinance No. 179-12 and Ordinance No. 181-12 be placed on final passage?

Yes: Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime, Napoli.

No: None; motion carried.

Ordinance No. 176-12

9/17/12

L-176-12

By: S.M. Tuma

(By Request – Auditor)

AN ORDINANCE TO AMEND THE 2012 PERMANENT APPROPRIATIONS OF THE CITY OF PARMA, OHIO, AND DECLARING AN EMERGENCY

Motion made by Councilman Day, seconded by Councilwoman Galinas to adopt Ordinance No. 176-12.

Yes: Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime, Napoli.

No: None: Ordinance No. 176-12 is adopted.

Resolution No. 177-12

9/17/12

L-177-12

By: S.M. Tuma
(By Request – Auditor)

A RESOLUTION APPROVING THE CITY AUDITOR'S POST CERTIFICATION OF
REQUISITIONS AS DETAILED IN EXHIBIT "A" AND DECLARING AN EMERGENCY

Motion made by Councilman Day, seconded by Councilwoman Galinas to adopt Resolution No. 177-12.

Yes: Tuma, Brochetti, Casselberry, Day, Galinas, Divis, Lime*, Napoli.

No: None; Resolution No 177-12 is adopted.

*Asked questions about retention of computer mail.

Ordinance No. 178-12

9/17/12

L-178-12

By: B. Day, A. Divis, M. Galinas, D. Lime, L. Napoli, S. Tuma, B. Brochetti, M. Casselberry
(By Request – Safety Director)

AN ORDINANCE TO AMEND A PORTION OF SECTION 606.31 "CHRONIC NUISANCE
PROBLEMS" OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA AND
DECLARING AN EMERGENCY

Motion made by Councilman Day, seconded by Councilwoman Galinas to adopt Ordinance No. 178-12.

Yes: Tuma, Brochetti, Casselberry, Day, Galinas, Divis, Lime, Napoli.

No: None: Ordinance No. 178-12 is adopted.

Ordinance No. 179-12

9/17/12

L-179-12

By: L. Napoli, S. Tuma, B. Brochetti, M. Casselberry, B. Day, A. Divis, M. Galinas, D. Lime
(By Request – City Engineer)

AN ORDINANCE GRANTING RIGHT OF ACCESS TO THE BOARD OF PARK
COMMISSIONERS OF THE CLEVELAND METROPOLITAN PARK DISTRICT FOR
A RAIN GARDEN ON VACANT CITY PROPERTY LOCATED AT THE EAST END OF
KLUSNER AVENUE (PERMANENT PARCEL NO. 451-11-002) IN THE CITY OF
PARMA AND DECLARING AN EMERGENCY

Motion made by Councilman Day, seconded by Councilwoman Galinas to adopt Ordinance No. 179-12.

Yes: Tuma, Brochetti, Casselberry, Day, Galinas, Divis, Lime, Napoli.

No: None: Ordinance No. 179-12 is adopted.

Ordinance No. 181-12

9/17/12

L-181-12

By: S.M Tuma
(By Request – City Engineer/Building Commissioner)

AN ORDINANCE ACCEPTING A GRANT OF EASEMENT BY PNC BANK FOR THE
CONSTRUCTION, USE, MAINTENANCE, AND KEEPING IN REPAIR OF A
SANITARY SEWER LINE ACROSS PERMANENT PARCEL NUMBER 448-23-009
LOCATED AT 6565 RIDGE ROAD IN THE CITY OF PARMA, AND DECLARING
AN EMERGENCY

Motion made by Councilman Day, seconded by Councilwoman Galinas to adopt Ordinance No. 181-12.

Yes: Tuma, Brochetti, Casselberry, Day, Galinas, Divis, Lime, Napoli.

No: None: Ordinance No. 181-12 is adopted.

APPOINTMENTS AND CONFIRMATIONS

Mr. Brennan – Asked the Mayor if there were any appointments or confirmations at this time.

Mayor DeGeeter – Stated that there were none.

PUBLIC SESSION

Susan Scovaria, 10905 Magdala Drive– Hanna Elementary School playground is trashed and smeared with feces. Needs something to be done about it. She was advised to check with the Board of Education also.

Ruth Fay – Regarding the Colozza rezoning issue, she and the Historical Society are very thankful for the court verdict. Thanked Service and Safety Directors for their support.

Frank 5711 Whittington – Spoke on the Renwood School congestion and how he cannot even get into his own driveway due to double parking, etc. He was advised to check with the Board of Education also.

MISCELLANEOUS BUSINESS

Mayor DeGeeter – Condolences to the Ted Benze family. April, 1981 he started with us.

Safety Director – From September 17-21, 2012, the Animal Warden will be out of town. Ridgewood Avenue will be having work done from 9 – 3:30 each day. He will be talking to the two people who talked about the schools situations during the Public Session.

Service Director – No comment.

Auditor Kish – Condolences to the Ted Benze family. Ted was someone he really got to know over the years.

Asst. Law Director Miller – Stated that Ted Benze was a quality guy.

Treasurer Mastroianni – Stated also that Ted Benze was a quality guy.

Councilman Tuma – Commented on the Colozza property and situation. Reminded everyone about the appeals process. Stated it was a good day for the law department.

Councilman Casselberry – Condolences to the Ted Benze family.

Councilman Day – Condolences to the Ted Benze family. Thanked Stearns for their help. Mentioned Issue 78 – Police Levy.

Councilman Divis – Thanked Stearns for their support. Thanked everyone for the card everyone signed for his father.

Councilwoman Galinas – Commented about the Car Show for Gillingham Ford which they held at the Vet Center. Condolences to the Ted Benze family.

Councilwoman Lime – Condolences to the family of Ted Benze. She stated that she would work with the school and Safety Director for the Renwood School situation. Wants further info on the

ATT dig on Ridge Road. Discussed the Parma Theatre meeting at 6:30 being held at the Little Polish Diner Hall.

Councilman Napoli – Discussed the traffic problems at all the schools. Stated that the schools need to communicate the problems to the parents.

Council President Brennan – Spoke about extension cords/fracking & seismic company from Texas. Stated that there is a Band Spectacular on Saturday at Byers Field at 7 PM.

REPORT ON ABSENT MEMBERS

Motion made by Councilman Day, seconded by Councilwoman Galinas, to excuse Councilman Jech. Motion carried.

ADJOURNMENT

Motion made by Councilman Day, seconded by Councilwoman Galinas, to adjourn said Regular Council Meeting. Motion carried.

CERTIFICATION

I, Kenneth A. Ramser, Clerk of Council for the City of Parma, Ohio, do hereby certify the above to be a true and correct copy of the Minutes from the Regular Council Meeting held on Monday, September 17, 2012.

KENNETH A. RAMSER
CLERK OF COUNCIL

SEAN P. BRENNAN
PRESIDENT OF COUNCIL

Meeting adjourned at 8:07 p.m.

lly

Minutes completed September 24, 2012